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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RONALD R. JARAGOSKY, a single man,

Plaintiff,

vs.

FORD MOTOR COMPANY, a Delaware
corporation; and JOHN DOE ENTITIES I-X,
inclusive,

Defendants.

Case No. 2:17-CV-02089-RFB-GWF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINE
DATES (SECOND REQUEST)**

Plaintiff Ronald R. Jaragosky and Defendant Ford Motor Company, hereby stipulate and agree to continue discovery in this matter by approximately 60 days.

I.

BACKGROUND

This is a complicated product liability action arising from a motor vehicle collision involving a 2001 Ford Explorer and a 2012 Chrysler van. On December 20, 2015, Plaintiff Ronald Jaragosky was riding in the front passenger seat of the 2001 Ford Explorer. The Explorer was driven by non-party Judy Ann Jiworsky northbound on SR-160 in Pahrump, Nevada. As the Explorer approached the intersection of SR-160 and Matthew Lane, the 2012 Chrysler van turned left in front of the Explorer. The right front of the Explorer collided with right front of the Chrysler van. Mr. Jaragosky sustained significant injuries in the crash.

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1 On August 1, 2017 Plaintiff filed suit against Ford. Plaintiff alleges claims of negligence
2 and strict product liability and seeks punitive damages. Plaintiff alleges that the 2001 Ford
3 Explorer failed to adequately protect Plaintiff when the airbags did not deploy. Ford denies that
4 the 2001 Ford Explorer was defective or that they are liable for Plaintiff's injuries and damages.

5 II.

6 REASON FOR DISCOVERY REQUEST

7 The parties have diligently pursued discovery in this case. As previously reported to the
8 Court, they had some initial difficulty obtaining the most recent medical records for Plaintiff from
9 the California facilities where Plaintiff is currently residing. Plaintiff is essentially a quadriplegic
10 and requires assistance in most of his activities of daily living. An administrator for Plaintiff's
11 current facility was preventing Plaintiff from executing medical records authorizations which
12 delayed the requesting of his most recent medical records. Plaintiff had to subpoena these
13 records. The parties have now had the opportunity to get most of these documents.

14 Additionally, after reviewing Ford's production of responsive documents to Plaintiff's
15 written discovery requests, Plaintiff has identified additional documents that he needs prior to
16 expert disclosures. Ford is working on locating and producing those additional documents, but
17 will not be able to do so before the current deadline for Plaintiff's initial expert disclosures. The
18 parties only recently determined that these documents would not be able to be produced prior to
19 the expert disclosure deadlines. For this reason, the parties agree that it will be best to extend all
20 discovery deadlines by 60 days to allow for the remaining written discovery to be completed prior
21 to expert discovery in this case. The parties represent that good cause exists for this extension
22 and that extending the expert deadline within the 21 day period set by LR 26-4 is due to
23 excusable neglect, as set forth herein.

24 III.

25 DISCOVERY STATUS

26 The following discovery has been completed:

- 27 • October 10, 2017 - Plaintiff's Initial Disclosure Statement
- 28 • November 10, 2017 - Ford Motor Company's Initial Disclosure Statement

- 1 • January 12, 2018 - Plaintiff's First Set of Non-Uniform Interrogatories to Defendant Ford
- 2 Motor Company
- 3 • January 12, 2018 - Plaintiff's First Set of Requests to Produce to Defendant Ford Motor
- 4 Company
- 5 • January 26, 2018 - Ford Motor Company's First Request for Production of Documents to
- 6 Ronald R. Jaragosky
- 7 • January 26, 2018 - Ford Motor Company's First Set of Non-Uniform Interrogatories to
- 8 Ronald R. Jaragosky
- 9 • January 31, 2018 - Submission of Protective Order
- 10 • March 12, 2018 - Deposition of Plaintiff Ronald Jaragosky
- 11 • March 12, 2018 - Deposition of Darby Jaragosky
- 12 • March 12, 2018 - Plaintiff's Second Set of Requests to Produce to Defendant Ford
- 13 Motor Company (response pending)
- 14 • March 14, 2018 - Deposition of Donald Patrick (non-party driver of 2012 Chrysler)
- 15 • March 15, 2018 - Deposition of Kevin Clickner, Pahrump Valley Fire and Rescue
- 16 • March 15, 2018 - Deposition of Judy Ann Jiworsky (non-party driver of 2001 Ford
- 17 Explorer)
- 18 • March 19, 2018 - Vehicle inspection by Ford's experts.
- 19 • March 22, 2018 - Deposition of Officer Truscello, Nevada Highway Patrol

IV.

DISCOVERY THAT REMAINS TO BE COMPLETED

A. Plaintiff:

1. Plaintiff intends to notice the 30(b)(6) depositions of Defendant's corporate representatives;
2. Plaintiff will be identifying experts on both liability and damages;
3. Plaintiff may propound additional written discovery as needed;
4. Plaintiff will be deposing Defendant's experts once disclosed.

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B. Defendant:

1. Defendant intends to depose Plaintiff's experts on both liability and damages.

2. Defendant intends to perform an additional vehicle inspection of the subject vehicle on April 1, 2018.

3. Defendant may propound additional written discovery as needed.

V.

PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

The parties have agreed to extend all the discovery deadlines in this case by 60 days as set forth below:

- | | |
|---|-------------------|
| 1. Last day to amend pleadings and add parties: | June 1, 2018 |
| 2. File the interim status report: | June 1, 2018 |
| 3. Plaintiff's initial expert disclosure: | June 1, 2018 |
| 4. Defendant's initial expert disclosure: | July 30, 2018 |
| 5. Rebuttal expert disclosure: | August 31, 2018 |
| 6. Discovery cut off: | November 27, 2018 |
| 7. Dispositive motions: | December 28, 2018 |
| 8. Joint pretrial order: | January 18, 2019 |

In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after a decision of the dispositive motions.

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VI.

CONCLUSION

Good cause is exists to extend the discovery deadlines as the parties have worked diligently towards completing fact discovery prior to expert disclosure. Therefore, the parties respectfully ask that this Court grant their request to adjust the case management deadlines as set forth herein.

DATED this 29th day of March, 2018.

SNELL & WILMER L.L.P.

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DATED this 29th day of March, 2018.

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Attorneys for Plaintiff
RONALD R. JARAGOSKY

ORDER

IT IS HEREBY ORDERED that the case management deadlines are extended as agreed to by the parties in the above stipulation and as follows:

1. Last day to amend pleadings and add parties: June 1, 2018
2. File the interim status report: June 1, 2018
3. Plaintiff's initial expert disclosure: June 1, 2018
4. Defendant's initial expert disclosure: July 30, 2018
5. Rebuttal expert disclosure: August 31, 2018
6. Discovery cut off: November 27, 2018
7. Dispositive motions: December 28, 2018
8. Joint pretrial order: January 18, 2019

IT IS SO ORDERED.

DATED this 30th day of March, 2018.


UNITED STATES MAGISTRATE JUDGE

Prepared and Submitted by:
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